

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

GLENDIA MCCOY, and JON ROBERT MCCOY,
themselves as PLAINTIFFS, and on behalf of
decedents JON ANDREA ROBERTS, MICAYLA
ROBERTS and DYLAN ROBERTS,

Plaintiffs,

v.

PFIZER INC., and GREENSTONE
PHARMACEUTICALS, LLC,

Defendants.

Civil Action No. 4:09cv496

JUDGE: MICHAEL H. SCHNEIDER

**UNOPPOSED MOTION TO EXTEND DEADLINE TO DESIGNATE COMPUTER
EXPERT**

Defendants Pfizer, Inc. and Greenstone Pharmaceuticals, LLC (“Defendants”) submit the following unopposed motion to allow each party up to two weeks to designate an expert witness concerning the contents of decedent’s computer, which will be made available for inspection and copying for the first time on October 10, 2011.

ARGUMENT

This case concerns a murder-suicide committed by Jon Andrea Roberts on July 30, 2011, at her family home in Flower Mound, Texas. Plaintiffs allege that Ms. Roberts’ actions were caused by her ingestion of the antidepressant medication sertraline, manufactured by Greenstone Pharmaceuticals, LLC.

Ms. Roberts’ actions were investigated by the Flower Mound Police Department, and Plaintiffs produced to Defendants the files of the Flower Mound Police Department concerning

that investigation early in this case. The Flower Mound Police Department did not produce, however, Jon Andrea Roberts' computer, which was taken from the scene of the investigation. Nor did the Flower Mound Police Department indicate that the computer was available for copying or inspection. An inquiry by Defendants in September 2011 indicated that Flower Mound Police Department still has decedent's computer in its possession, and Defendants immediately requested that the computer be made available for inspection and copying. Apparently due to administrative issues, however, the Flower Mound Police Department was unable to make the computer available for inspection and copying before October 10, 2011.

Defendants' current deadline for designation of expert witnesses is October 7, 2011. It is possible that expert testimony will be necessary to authenticate, describe or address the contents of decedent's computer, to the extent that pertinent information is found on the computer once it is produced. Accordingly, Defendants request an extension of two weeks past the date of production of the computer to designate an expert to authenticate, describe or address the contents of the computer, to the extent such an expert is necessary. Plaintiffs should, of course, be allowed the same period of time to designate an expert to address the computer contents to the extent they wish to do so. Plaintiffs do not oppose this requested extension. Moreover, the requested extension will not affect any other deadline in the case.

Accordingly, Defendants respectfully request that the Court grant an extension to October 24, 2011 for either party to designate an expert to address the contents of decedent's computer.

Dated: October 5, 2011

Respectfully submitted,

s/ John H. Martin

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of **UNOPPOSED MOTION TO EXTEND DEADLINE TO DESIGNATE COMPUTER EXPERT** was served via manner indicated below this 5th day of October, 2011 to the following:

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Attorneys for Plaintiffs

s/ John H. Martin

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**ORDER GRANTING UNOPPOSED MOTION TO EXTEND DEADLINE TO
DESIGNATE COMPUTER EXPERT**

Pending before this Court is the Defendants' Unopposed Motion to Extend Deadline to Designate Computer Expert. The Court will extend the deadline for Defendants to designate expert witnesses and reports, and therefore GRANTS the motion.

It is therefore ORDERED that the deadline for Defendants to designate their experts and disclose reports is now October 24, 2011.

IT IS SO ORDERED.